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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,628	01/30/2002	Yoshihiro Yamaguchi	16869S-042000US	2477
20350 7590 03/22/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER APPLE, KIRSTEN SACHWITZ	
			ART UNIT 3693	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/22/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/062,628

Applicant(s)

YAMAGUCHI ET AL.

Examiner

Kirsten S. Apple

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 5 and 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## Detailed Action

This action is in response to the application response filed on 12/18/06.

### *Claim Rejections - 35 USC § 102*

The Examiner has read and reviewed all of the information provided by the Applicant.

The examiner rejects as final claims 5 & 11-19 under 35 USC 102.

The Applicant attention is re-drawn to the following:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 5 & 11-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Vasic, Published Application US 2001/0034676 A1 (application #09,782,756).

**Re claim 5 & 15:** Vasic discloses:

*A method of fund transfer, the step of:*

*Receiving fund transfer instruction information (see Vasic, Figure 1, item 2)*

*Judging whether or not a reduction or exception fee is set in the sending customer (see Vasic, Figure 1, item 4B)*

*Calculate the fee including calculating the reduction and exemption fee and standard fee (see Vasic, Figure 1, item 5, "deduct")*

*Judging if fee is changed to sending customer (see Vasic, Figure 1, "Company")*

*Retrieving a beneficiary account fee (see Vasic, Figure 1, item 4B)*

*Calculate a sum of money to be curtailed from the predetermined paying-out account*  
*(see Vasic, Figure 1, item 5, "deduct")*

*Transmitting the sum (see Vasic, Figure 1, item 5 & 6)*

**Re claim 11 & 16:** Vasic discloses:

*Reduction and exemption database stores a first fee (made to an account of the customer)*  
*and a second fee for the customer (made from the account of the customer) (see Vasic, Figure 1,*  
*item 4B)*

**Re claim 12 & 17:** Vasic discloses:

*Standard database stores first fee and second fee (see Vasic, Figure 1, item 4B)*  
*Step of calculating a standard fee take into account the first fee or the second fee (see*  
*Vasic, Figure 1, item 5, "deduct")*

**Re claim 13 & 18:** Vasic discloses:

*Reduction and exemption database stores reduction and exemption fees, in a plurality of*  
*database tables, each table corresponding to a single bank (see Vasic, Figure 1, item 4B)*

**Re claim 14 & 19:** Vasic discloses:

*Standard database stores standard fees, in a plurality of database tables, each table*  
*corresponding to a single bank (see Vasic, Figure 1, item 4B)*

### ***Response to Arguments***

Applicant's arguments filed 12/18/06 have been fully considered but they are not persuasive.

In particular, and respect to Claim 1 the Applicant argued 1<sup>st</sup>: "Vasic fails to disclose storing different types of transaction fees on a per-customer basis"

The Examiner refutes the argument made by the Applicant and draws the attention to Vasic, Figure 1, Item 4B. This item clear depicts a transaction fee – it is inherent that this information for the multiple customers would be stored in some type of database.

Applicants argued 2<sup>nd</sup>, “Vasic also fails to show or disclose a mechanism for calculating differential transaction fees.”

The Examiner refutes the argument made by the Applicant and draws the attention to Vasic, Figure 1, item 5 – by definition “deduct” is a form of calculation a subtraction form. This is clearly show in the prior art.

The examiner would like to reiterate as she did in her first office action that Vasic is simply one prior art reference that clear depicts all of the element of this invention but the examiner is aware that it is very common business practice well know in the art at the time of the invention all of the features of the invention. It is well know for different individuals to pay the fee for multiple bank processes. The examiner has personally experience her bank asking her with a wire transfer if she “would like to include her bank fees and/or the other individuals bank fees in the transfer” in additional her bank covers the ATM fee that other banks charge. Both of these personal experiences happened before the effective filling date of the applicant. Having different individuals/groups pay for others/their own bank fee (for various transactions) is common and well know to those of ordinary skill in the art at the time of the invention.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

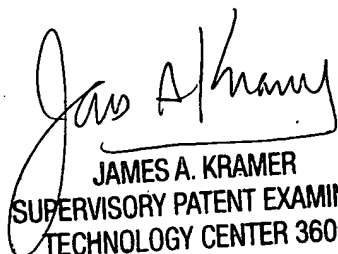
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa

 3/19/07  
JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600